

Next Meeting: April 6, 2005

10:00 a.m. – Thorburn Center – Ingham ISD (Rooms B and C)

SPECIAL EDUCATION ADVISORY COMMITTEE

Minutes of March 2, 2005 Meeting

10:00 a.m.

Present: Cindy Anderson, Gloria Anderson, Patt Clement, Cheryl Ervin, Janice Fialka, Elaine High, Ric Hogerheide, Jill Jacobs, Patricia Keller, Dara Knill, Paul Kubicek, Jerry Oermann, Anne Richardson, Chuck Saur, Steve Schwartz, Randall VanGasse, Julie Winkelstern
Ex-Officio Members: Doug Nurenberg (for Sheri Falvay), Rosanne Renauer, Michele Robinson, Jacquelyn Thompson

Absent: Kathleen Clegg, Pansy Coleman, Darlene Heard-Thomas, Jim Kubaiko, Mark Larson, Lee Martin, Dodie Raycraft, Debs Roush, Julie Shore, Jeff Siegel, Larry Simpson, Deb Todd, Colette Ward

OSE/EIS Staff: David Brock, Lauren Harkness, Patti Oates-Ulrich

Guests: Lynn Boza, Michelle Driscoll, Maggie Kolk, Sandi Laham, Jon Wurdock

The meeting was called to order by Chairperson Patt Clement.

Roll Call

Roll call was taken and a quorum was present.

Introduction of Guests

Guests attending the meeting were introduced.

Amend/Approve Proposed Agenda

The agenda of the March 2, 2005 meeting was considered. Ric Hogerheide moved, seconded by Gloria Anderson, to approve the agenda as written. The motion carried.

Amend/Approve Minutes

The minutes of the February 2, 2005 meeting were considered. Ric Hogerheide moved, seconded by Gloria Anderson, to approve the minutes as written. The motion carried.

Public Comment

None

Member Issues

None

Chairperson's Report – Patt Clement

A. Designation of members to count the Executive Committee ballots

Elaine High will chair an ad hoc committee that is responsible for tabulating votes for the executive committee. Patt requested three volunteers not on the ballot to join Elaine on the ad hoc committee. Anne Richardson, Michele Robinson, and Janice Fialka volunteered.

State Reports – David Brock

A. Update: State Board of Education meeting

In February, the Eaton Intermediate School District plan and modifications to the Montcalm and Calhoun Intermediate School Districts plans were approved. Depending on the action of the SEAC in this meeting, the Board will act on the finalization of special education rules and policies in March. The Superintendent will also report the approval of the IEP addendum and manual.

B. Update: IDEIA 2004 Reauthorization Activities

The Department finished drafting their input to the Office of Special Education Programs on IDEIA 2004 with suggestions for the regulation-making process that would help with implementation. It was submitted last Friday.

C. UPDATE: MDE OSE/EIS Activities

There will soon be a memorandum sent to the field about the change to the school social worker approval that the SEAC already reviewed.

Many items are scheduled for public comment during the April 15 through June 15 public comment period, including the new IDEIA 04-compliant state IEP form and manual, the new IFSP/IEP compliant with the same law, updated procedural safeguards, the proposal for the continuous improvement monitoring system piloted this year, and the updated private school placement procedures. Jacquelyn Thompson requested organizational representatives alert their organizations to the importance of the upcoming public comment period and urge them to submit feedback.

The Department is in the midst of drafting the Annual Performance Report, due March 31. The Department must show accountability in several areas of student and systematic performance as presented at a previous meeting this year by Karen Rockhold. Additionally, the annual application for federal funds is due in May. Finally, a PowerPoint presentation on highly qualified teachers was given at the Upper Peninsula Winter Special Education Conference and will be given at CEC on March 3. It is available on the directors' listserv and will be made available on the SEAC listserv shortly.

Information Items

A. SEAC Bylaws

Patt Clement quickly went through the changes and modifications to the bylaws. Gloria Anderson mentioned that the Michigan Alliance of School Physical and Occupational Therapists (MASPOT) is not represented on the SEAC. Jacquelyn Thompson responded to a few questions raised in the process of the ad hoc committee's work. She clarified that an organization represented on the SEAC may change their name without any notice or approval. The possibility of filling the vacant seat left by PIAM will be discussed in the next executive committee meeting. Additional discussion followed. Patt mentioned that a Frequently Asked Questions document prepared in time for the retreat this fall will replace the questions raised by the ad hoc committee with regard to members-at-large. Patt noted the edits suggested by the group for incorporation into the final bylaws document.

B. Discussion on seclusion and restraint document recommendations

Steve Schwartz stated that public comment on this document must be submitted by March 15; therefore, the SEAC must make its decision at this meeting. Steve summarized the choices of the subcommittee for each of the five decision points, outlining their rationale. He then fielded clarifying questions, making certain that everyone present understood the position on each of the five points. Anne Richardson recommended removing the phrase "restraint from behind" from the rationale for point three. Gloria Anderson asked if the first bullet under the general comments section could address restraint as well as seclusion. Steve recommended that the general comments section be ignored for sake of time.

Action Items

A. Recommendation on seclusion and restraint document

Steve Schwartz moved, seconded by Anne Richardson, to approve the subcommittee's choice on Point One. The motion carried.

Steve Schwartz recommended, seconded by Ric Hogerheide, to approve the subcommittee's choice on Point Two. Cindy Anderson amended the motion, seconded

by Ric Hogerheide, to support option four instead of the subcommittee's choice. David Brock reminded the group that this document cannot be enforced as law. Discussion followed. The motion carried as amended.

Steve Schwartz moved, seconded by Gloria Anderson, to approve the subcommittee's choice on Point Three with removal of the phrase "restraint from behind" from the rationale. Jerry Oermann requested a definition of a four-point restraint. Cindy Anderson provided a definition. Discussion followed. Ric Hogerheide amended the motion, seconded by Jerry Oermann, to add the phrase "by untrained individuals" to the rationale. Paul Kubicek stated that he cannot support any option that includes "other forms of restraint" because it is too nebulous. Discussion followed. Ric Hogerheide retracted his amendment. Ric Hogerheide made a substitute motion, seconded by Chuck Saur, to support option two instead of the subcommittee's choice with the addition of the phrase "by untrained individuals" to the rationale. Steve clarified that this motion does not prohibit four-point restraint, but only prohibits four-point-restraint performed by untrained individuals. The substitute motion was passed by a simple majority following a roll call vote.

Steve Schwartz moved, seconded by Chuck Saur, to approve the subcommittee's choice on Point Four. The motion carried.

Steve Schwartz moved, seconded by Gloria Anderson, to approve the subcommittee's choice on Point Five. Cindy Anderson amended the motion, seconded by Randy VanGasse, to remove point "a" from the rationale. The motion carried as amended.

- B. Recommendation to endorse approval of the Transition Coordinator Qualifications Rule and Transition Coordinator Competencies and Procedures for Approval with Conditions

Elaine High moved, seconded by Chuck Saur, to approve the recommendation as written. Gloria Anderson asked if there would be a rubric for grandparenting current transition coordinators. Jacquelyn explained that concerns about a coordinator's abilities should be addressed in the performance review, not in the grandparenting process. The motion carried.

- C. Recommendation to support approval by the Superintendent of Rules 340.1724, 1724a, 1724c, 1725e – Due Process Hearing (Magistrate System)

Ric Hogerheide moved, seconded by Gloria Anderson, to approve the motion as written. The motion carried.

- D. Recommendation to support approval by the Superintendent of Rules 340.1781, 1782, 1783a, 1786, 1787, 1788, 1799, 1799a – Qualifications of Teachers

Ric Hogerheide moved, seconded by Cindy Anderson, to approve the motion as written. The motion carried.

- E. Recommendation to support approval by the Superintendent of rules with regard to the Administration of Programs and Services

Ric Hogerheide moved, seconded by Chuck Saur, to approve the motion as written. The motion carried.

Ex-Officio Reports

Institutions of Higher Education – Mark Larson – None

Michigan Department of Community Health – Doug Nurenberg – None

Michigan Department of Labor and Economic Growth/Rehabilitation Services – Lynn Boza – The Transition Network Team will meet on June 2 at the Michigan Career and Technical Institute. All SEAC members are invited. A tour of the facility will be given as well. Lynn will send additional information on the meeting and tour to the SEAC listserv.

Family Independence Agency – Lee Martin – None

Michigan Department of Corrections – Michele Robinson – None

Committee Reports

- A. General Supervision – Ric Hogerheide

The subcommittee will discuss organization of and preparation for the June 22 joint SEAC/SICC meeting.

- B. School Age – Steve Schwartz

The subcommittee will take the input received on the seclusion and restraint response form and align the document so it is ready for submission. The subcommittee will also examine the rest of the seclusion and restraint document as time permits. The five decision points were the main focus last month.

- C. Secondary Transition – Elaine High

The subcommittee reviewed information regarding the proposed transition coordinator qualifications, rule competencies, and procedures. Another issue of focus is Pupil Accounting Rules for the State School Aid Act. The subcommittee will also work on the career and technical education interagency deliverance system that was brought forward a few months ago.

Member Announcements

Janice Fialka announced that the *Early On* conference is scheduled on May 5 and 6. Information is available from Janice at this meeting.

Gloria Anderson announced that the Michigan Speech Language and Hearing state conference is March 10 through 12. The focus is on literacy and developments in technology with hearing aids and other hearing devices.

Future Agenda Consideration

To prepare the SEAC to take action at the joint SEAC/SICC meeting June 22, Kathy Barker will present at the May meeting the proposal for the Continuous Improvement Monitoring System piloted this year.

Chuck Saur moved, seconded by Randy VanGasse, to adjourn. The motion carried. The meeting was adjourned to subcommittee meetings.

Amanda Whitehead
Recording Secretary

SPECIAL EDUCATION ADVISORY COMMITTEE

Executive Committee
Minutes of March 2, 2005 Meeting
8:45 a.m.

Present: David Brock, Patt Clement, Elaine High, Ric Hogerheide, Sandi Laham, Patti Oates-Ulrich, Steve Schwartz, Jacquelyn Thompson
Absent: Debs Roush, Larry Simpson, Collette Ward

Review of Today's Agenda

Elaine High will chair an ad hoc committee responsible for tallying the executive committee ballots. During her chairperson's report, Patt Clement will ask for three volunteers not on the ballot to join Elaine on the ad hoc committee. After the tally, the results will be given to Amanda Whitehead, who will mail them to the committee of the whole.

The revision to the bylaws will be presented as an information item. Patt Clement reported that the bylaws ad hoc committee requested assistance from David Brock regarding guidelines for members-at-large similar to those outlined in the bylaws for alternates. David said no such guidelines exist and would need to be developed. Sandi Laham suggested moving forward with the bylaws without that section and working to develop a Frequently Asked Questions document that would include the information and be ready for distribution at the fall retreat.

There are several action items on today's agenda. The executive committee anticipated that the seclusion and restraint response form will take the greatest amount of time. The group decided that Steve Schwartz should give an overview of the entire form first and then take questions of clarification. Once the committee of the whole understands the document in its entirety, each point will be discussed and decided upon one at a time. The other three scheduled action items will be considered after the seclusion and restraint item.

State Department Report

David Brock will report on ISD plans approved in February by the State Board of Education. He will also project special education items to go before the Board in March, most likely including the special education rules and policies and a report on the approval of the IEP addendum and manual.

David will share that the Department provided input to the Office of Special Education Programs on IDEIA 2004 at OSEP's invitation. He will also summarize items going to public comment on April 15, including the new state IEP form and manual, the new IFSP/IEP, updated procedural safeguards, the proposal for the Continuous Improvement Monitoring System, and the updated private school placement procedures. David will also summarize the work being put into the Annual Performance Report, due March 31, and the annual application for federal funds, due in May. Finally, a PowerPoint presentation on

highly qualified teachers was developed by the Department and is available on the director's listserv. It will be made available on the SEAC listserv shortly.

Subcommittee Reports

Elaine High reported that the secondary transition subcommittee will continue examining possible changes to Pupil Accounting Rules and the State School Aid Act to address barriers to effective transition services.

Steve Schwartz reported that the subcommittee will make any necessary modifications to the seclusion and restraint response form as recommended by the committee of the whole at today's meeting. Once that work is completed, the group will focus on the rest of the seclusion and restraint document as they only dealt with the five decision points in the response form last month.

Ric Hogerheide reported that the general supervision subcommittee completed its assigned tasks at last month's meeting.

Future Agenda Development

Kathy Barker will present at the May meeting as requested by the executive committee. David will frame the agenda for the June 22 joint SEAC/SICC meeting at SEAC's June meeting.

Jacquelyn Thompson suggested the executive committee evaluate the SEAC's operation over the year at a later meeting in order to identify areas for improvement.

Other Issues

Elaine will chair an ad hoc committee responsible for tabulating the votes for the 2005-06 executive committee. Patt will ask for three volunteers who are not on the ballot to serve on the committee.

Patti Oates-Ulrich reminded the group that as a rule, copies should not be made the day of the meeting at Ingham ISD. Members should bring their own copies to the meeting if they are unable to get them to Amanda Whitehead for duplication in a timely fashion.

Amanda reported that both the Comfort Inn in Mount Pleasant and Winding Brook Conference Center are reserved for the fall retreat. Patt announced that a new location for the 2005-06 SEAC meetings, the Michigan Education Association in East Lansing, was found and reserved.

The executive committee did not have time to discuss the issue raised by Deb Todd at last month's meeting regarding the lack of a standard for determining education loss when a student doesn't receive all the services listed in their IEP. This item will be discussed at a later meeting. The parameters for guest speakers will also be discussed at a later meeting.